

REMARKS

5 This amendment is responsive to the examiners Office
Action dated March 11, 2003.

 With regard to the 35 USC 112 claim rejection of claims
3 and 68, applicant has amended these claims to remove the
10 words --at least one of--.

 With regard to the 35 USC 102(e) rejection of claims 1
and 66, applicant has amended these claims to add the
additional restriction:

15 -- where said header TYPE field includes one or more
values which indicates that said variable length payload may
vary in length from a minimum length to a maximum length.--

Applicant notes that the payloads of Garcia are fixed length
20 payloads, and are not allowed to change in length, which is
a fundamental architectural constraint of an ATM system.
Note Garcia figures 5, 6, 7, and 9, which all indicate ways
of transmitting different types of data using fixed 64 byte
frames. The IPL packet of figure 9 is also fixed at 64
25 bytes (10 byte header plus 53 byte payload plus 1 byte CRC),
and IPL packets in excess of 64 bytes are transmitted over

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multiple slots (figure 5 or 6), and each packet carries its own CRC. This contrasts with the amended claims 1 and 66 of the present invention, where the packet length is not fixed, but is free to vary from a minimum length to a maximum

5 length, and is transmitted as a single contiguous unit. No such single-packet variable length payload capability exists in the prior art of Garcia, where all packets are the same fixed length, and a separate reassembly function of figure 43 is required to strip CRCs and reassemble IPL packets.

10 The system of Garcia does not include applicant's single third step of sending a variable length payload - the payload is split up into multiple packets, each with its own header, payload, and CRC (Garcia figure 9, and col 10 lines 46-53).

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With regard to the 35 USC 102(e) rejection of claims 2 and 67, applicant believes amended claims 1 and 66 are allowable when one or more values of the TYPE field indicate a variable length packet, and the variable length packet is

20 transmitted or received contiguously.

With regard to the 35 USC 103 rejection of claim 9, applicant believes that amended claim 1 is now distinguishable from Garcia, and dependent claim 9 is

25 therefore allowable.

With regard to the 35 USC 103 rejection of claim 22,
the claim has been amended to include the limitation:

--said header includes transmitting a START symbol on
first said data lane, and the transmission of said payload
5 data is followed by an END symbol on at least one said data
lane--

Applicant notes that the system of Finney teaches the
transmission of data over a plurality of byte lanes using
phase delays from the first byte lane to the last to achieve
10 resolution of word boundaries between successive words. The
present invention includes a header which includes a START
symbol to achieve resolution of word boundaries between
successive words. The system of Garcia therefore cannot be
combined with the system of Finney to anticipate the present
15 invention, as merely implementing a multi-lane version of
Garcia produces a system which transmits a header over a
plurality of lanes, but does not produce a system where the
header includes a START symbol on any data lane.

20 With regard to the 35 USC 103 rejection of claim 23,
applicant believes that claim 22 is now allowable, and
dependent claim 23 is therefore also allowable.

With regard to claims 10-21 objected to as being
25 dependent upon a rejected base claim, applicant has amended
claim 10 into an independent claim incorporating the

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limitations of claims 1 and 9. Therefore, claims 10-21 are now allowable. As claim 10 is changed from a dependent claim to an independent claim, the fee difference is enclosed.

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With this amendment, this application is in condition for allowance. Examiner is advised that agent Chesavage may be reached by telephone at 650-619-5270, or via e-mail at
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Respectfully Submitted,

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